

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:20-CV-235-MOC-DCK**

EVANS GENERAL CONTRACTORS, LLC,)	
)	
Plaintiff,)	
)	
v.)	<u>ORDER</u>
)	
EGGER HOLZWERKSTOFFE GmbH,)	
)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on the “Consent Motion To Stay Pending Arbitration Or To Transfer Venue” (Document No. 5) filed June 23, 2020. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, and noting consent of Plaintiff’s counsel, the undersigned will grant the motion.

The undersigned observes the motion asserts that the parties agree that “this action should be stayed pending resolution of the underlying arbitration” between Plaintiff Evans General Contractors, LLC and Egger Wood Products, LLC, a subsidiary of Defendant Egger Holzwerkstoffe GmbH. (Document No. 5, p. 1). Alternatively, if the Court decides not to stay this action for any reason, or in the event that further proceedings in this action are necessary after arbitration,” the parties agree that this matter should be transferred to the Middle District of North Carolina. (Document No. 5, p. 2). Defendant notes that it “consented to suit ‘in the State or Federal Courts encompassing Lexington, North Carolina,’ not in the Western District.” Id. (quoting Document No. 1-1, p. 4; Document No. 1-2, p. 4)).

Under these circumstances, the undersigned finds that efficient case management and judicial economy dictate that this matter should be transferred to the Middle District of North Carolina. After transfer, the parties may renew their request to stay their lawsuit pending arbitration, but it will be up to the Middle District to grant or deny that request and to establish any deadlines.

IT IS, THEREFORE, ORDERED that the “Consent Motion To Stay Pending Arbitration Or To Transfer Venue” (Document No. 5) is **GRANTED**. This matter shall be **TRANSFERRED** to the United States District Court for the Middle District of North Carolina.

SO ORDERED.

Signed: June 29, 2020



David C. Keesler
United States Magistrate Judge
